

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH CAROLINA

In re:

Connie Lynette Hardwick,

Debtor.

Case No. 17-01130-jw

Chapter 11

In re:

Double J Farms, LLC,

Debtor.

Case No. 17-01132-jw

Chapter 11

**NOTICE OF COMPLETION OF PLAN PAYMENTS AND REQUEST FOR DISCHARGE**

Connie Lynette Hardwick and Double J Farms, LLC have filed papers with the court setting forth that they have completed their plan and are seeking a discharge of their debts from this Court.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one, in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the court to issue a Discharge for these Debtors, or you want the court to consider your views on the Discharge of these Debtors, then within twenty-one (21) days of service of this notice, you or your attorney must:

File with the court a written response, return, or objection at: 1100 Laurel Street, Columbia, SC 29201

Responses, returns, or objections filed by an attorney must be electronically filed in [ecf.sc.uscourts.gov](http://ecf.sc.uscourts.gov).

If you mail your response, return, or objection to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also send a copy to: Sean Markham, Attorney for the Debtor, P.O. Box 20074, Charleston, SC 29413-0074

Attend the hearing scheduled to be heard on **November 10, 2020, at 11:30 a.m.** at the United States Bankruptcy Court, District of South Carolina 145 King Street, Room 225 Charleston, SC 29401.

If no response, return, and/or objection is timely filed and served, no hearing will be held on this Notice and Application, except at the direction of the judge.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

October 13, 2020

**Markham Law Firm, LLC**

/s/ Sean Markham

Sean Markham, I.D. # 10145

P.O. Box 20074

Charleston, SC 29413-0074

Tel: 843-284-3646

[sean@markhamlawsc.com](mailto:sean@markhamlawsc.com)

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**CHAPTER 11 REQUEST FOR DISCHARGE**

Connie Lynette Hardwick and Double J Farms, LLC, (“Debtors”) hereby notify the creditors of these jointly administered estate that the Plan of Reorganization (“Plan”) is complete and all required payments were made and that a request for discharge is now warranted. Contemporaneously with this notice and request, the Debtor has filed her post-petition credit counseling course (also known as a debtor education class).

**SUMMARY OF THE CASE**

1. On March 7, 2017, the Debtors filed for relief under Chapter 11 of Title 11 of the United States Bankruptcy Code.
2. The two cases were substantively consolidated on April 14, 2017.
3. Debtors are operating their business and managing their assets as debtors in possession under §§1107(a) and 1108 of the Bankruptcy Code.
4. On October 4, 2017, Debtors filed their Disclosure Statement and Plan of Reorganization. An amendment to Debtors’ Plan and Disclosure Statement was filed on November 21, 2017. Following a hearing on the matter, Debtors’ Disclosure Statement was approved by Order of the Court entered on November 27, 2017.
5. An addendum to the Plan and Disclosure Statement were filed on January 3, 2018.
6. On January 31, 2018, the Court entered an order confirming the Debtors’ Plan (the “Confirmation Order”).
7. The Confirmation Order approved the Plan and the agreements negotiated by the Debtors and their secured creditors.

8. On June 26, 2018 a final decree was entered that administratively closed the above captioned cases.

9. On September 18, 2018 the case was reopened to approve a sale of assets to fund the Debtor's case.

10. The case was then administratively closed again on October 16, 2018 ("Administrative Closure").

11. Since then the Debtor has operated under her confirmed Plan of reorganization.

### **SMMARY OF PLAN PAYMENTS**

The Debtors are current on all post-confirmation obligations and all pre-confirmation long-term obligations. The Debtor has either paid all claims in full, or the creditors have refused to accept payment of their claims. Those creditors refusing to accept payment despite repeated attempts by the Debtors to pay are listed in **Exhibit A** to this pleading.

The Debtor's Plan provided for these categories of creditor payments and those creditors were treated as set out below:

Classification	Creditor Name	Plan Treatment	Status Post-Confirmation	Debtor's Obligation
Class 1 Claim	ArborOne, ACA	Pay though Sale	Paid in Full Property Sold	\$1,390,946.81
Class 2 Claim	First Reliance Bank	Satisfied through Settlement w/ R Cooke	Satisfied by Settlement	\$ 399,103.28
Class 3 Claim	Anderson Brothers Bank	Cure and paid by Daughters	Obligation is still outstanding but paid according to terms of Plan as long-term debt	\$ 232,358.63

Class 4 Claim	NBSC	Cure and Maintain	Obligation is still outstanding but paid according to terms of Plan as long-term debt	\$ 52,712.00
Class 5 Claim	Conway National Bank	Cure and Maintain	Obligation is still outstanding but paid according to terms of Plan as long-term debt	\$ 51,979.00
Class 6 Claim	Conway National Bank	Cure and Maintain	Paid in Full, Property Sold	\$ 20,015.00
Class 7 Claim	Conway National Bank	Cure and paid by Daughters	Paid in Full, Property Sold	\$ 18,722.00
Class 8 Claim	Conway National Bank	Cure and paid by Daughters	Paid in Full, Property Sold	\$ 16,653.00
Class 9 Claim	Conway National Bank	Satisfied through Settlement w/ R Cooke	Paid in Full, Property Sold	\$ 13,624.65
Class 10 Claim	Conway National Bank	satisfied through Settlement w/ R Cooke	Satisfied by Settlement	\$ 24,237.89
Class 11 Claim	Nancy Pickelsimer	Cure and Maintain	Obligation is still outstanding but paid according to terms of Plan as long term debt	\$ 45,583.00
Class 12 Claim	The Citizens Bank	Cure and Maintain	Paid in Full	\$ 28,853.00
Class 13 Claim	The Citizens Bank	Cure and Maintain	Paid in Full	\$ 34,581.00

Class 14 Claim	JP Morgan Chase Bank	Cure and Maintain	Paid in Full	\$ 42,943.00
Class 15 Claim	Anderson Brothers Bank	Cure and Maintain	Paid in Full	\$ 39,289.00
Class 16 Claim	Horry County Treasure	Satisfied through Settlement w/ R Cooke. Balance paid in 1 year	Paid in full and all taxes current	\$ 19,812.52
Class 17 Claim	Citizens Bank	Cure and Maintain	Paid in Full	\$ 6,708.00
Class 18 Claim	Ally Bank	Cure and Maintain	Paid in Full	\$ 5,706.00
Class 19 Claim	Florence County	Pay though Sale	Paid in full and all taxes current	\$ 7,388.05
Class 20 Claim	Clarendon County Treasure	Cure and paid by Daughters	Paid in full and all taxes current	\$ 7,162.23
Class 21 Claim	Administrative claims	Pay though Sale	Paid in full	\$ 70,000.00
Class 22 Claim	Priority Claims	Pay	Paid in full and all taxes current	\$ 46.00
Class 23 Claim	Unsecured Claims	Pay though Sale	Paid in full except those refusing payment in Exhibit A	\$ 50,000.00
Class 24 Claims	Richard Cooke	Satisfied through Settlement w/ R Cooke	Satisfied by Settlement	\$ -
Total Claims				\$2,578,424.06

As stated in the column “Status Post-Confirmation” the Debtor has either paid its debts in full, satisfied the debt by refinancing the debt, were settled during the bankruptcy, paid by the sale of

property, or refused to accept payment. The creditors who have refused to accept payment have done so despite repeated calls requesting to repay these obligations, calls to bankruptcy departments within these organizations, and in person meetings with the creditor at their places of business.

Any post Administrative Closure professional fees have been paid in full, there are no fees owed to the US Trustee's office, any fees related to the reopening of the case have been paid at the time of this application, and no other administrative claims are outstanding at this time. As such the Debtors have paid their debts in full and are entitled to discharge.

Pursuant to 11 U.S.C. § 1141(d)(5) the Debtor is entitled to a discharge but because she is an individual debtor under 11 U.S.C. § 1141(5) a discharge cannot be granted to Ms. Hardwick until after notice and a hearing once the Debtor has completed all payments under the Plan. The Debtor asserts that she has made all payments under the Plan and remains current on all long-term obligations and all post-petition obligations. 11 U.S.C. § 1141(d)(3) is not applicable here because the Debtor is not liquidating substantially all of the property of estate, and she would not be denied a discharge under 11 U.S.C. § 727(a). This should qualify as the required statement set out in Fed. R. Bankr. P.1007(b)(7). Further under that same bankruptcy rule, subpart (8), the Debtor has claimed exemptions pursuant to 11 U.S.C. § 522 but the Debtor has paid her debts in full pursuant to her Plan and her need to claim exemptions had no impact on the payout to her creditors. The Debtor asserts that there are no pending proceedings whereby she may be found guilty of a felony of any kind nor would she owe a debt of the kind described in 11 U.S.C. § 522(q)(1)(B).

There are no debts which were deemed to be exempt from discharge under 11 U.S.C. § 523. The Debtor has not received a discharge under chapter 7, 11, or 12 of this title during the 4-year period preceding the date for the order for relief under this chapter, or in a case filed under chapter 13 of this title during the 2-year period preceding the date of such order.

The Debtor has completed the required post-petition credit counseling course on August 9, 2020 and the Debtor has filed the required forms with the court. Due to the consolidated nature of the cases, Connie Lynette Hardwick has taken the counseling course but the Double J Farms, LLC is not required to take this course because it is not an individual debtor. The completion of this course and the Debtors completion of the Plan payments to her creditors are the events allowing her to request and receive a discharge from this Court.

WHEREFORE, the Debtors request that the Court enter a Final Decree closing this case, granting the Debtor a discharge, and granting such other and further relief as the Court may deem just and proper.

**Markham Law Firm, LLC**

/s/ Sean Markham  
Sean Markham, I.D. # 10145  
Attorney for the Debtors  
P.O. Box 20074  
Charleston, SC 29413-0074  
Tel: 843-284-3646  
Fax: 843-637-7499  
[sean@markhamlawsc.com](mailto:sean@markhamlawsc.com)

Charleston, South Carolina  
October 13, 2020

I, Connie Lynette Hardwick, hereby affirm and certify that the information contained in this Request are correct, true, and accurate. I affirm that I have made all the required payments to my creditors and that any amounts that were unpaid were despite my best efforts to repay those limited creditors attached here to in Exhibit A who refused to accept payments. I represent that I am not subject to any proceedings whereby I could be found guilty of a felony nor any proceedings whereby there may be a finding that a debt I owe would be a violation of any securities law; a debt that is fraudulent, deceitful, or manipulative in connection with the sale of securities; a debt that would be considered a civil remedy under the US Criminal Code set out in Title 18 of the U.S. Code; or a debt that is the result of a criminal act, intentional tort, or willful or reckless misconduct that resulted in serious physical injury or Death of another individual in the preceding 5 years.

/s/ Connie Lynette Hardwick  
Connie Lynette Hardwick  
Individually

Date: October 13, 2020

/s/ Connie Lynette Hardwick  
Connie Lynette Hardwick  
As the representative for  
Double J Farms, LLC

Date: October 13, 2020

**Exhibit A**

**List of creditors not accepting payment of claims**

Claimant	Allowed Unsecured	Post-Confirmation Disposition
Horry Electric Cooperative, Inc.	\$ 544.00	Refused Payment Said No Balance Owed
Tnb-Visa (TV) / Target	\$ 779.00	Refused Payment Said No Balance Owed
US Bank/Rms CC	\$ 420.58	Refused Payment Said No Balance Owed
Wells Fargo Bank N.A.	\$ 505.95	Refused Payment Said No Balance Owed